

HF173 - 0 - Equality Under the Law Constitutional Amendment

Chief Author: **Kaohly Her**
 Committee: **State And Local Government Finance And Policy**
 Date Completed: **1/13/2023 3:36:06 PM**
 Agency: **Secretary of State**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology	X	
Local Fiscal Impact	X	

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 1/13/2023 3:36:06 PM
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State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill proposes a constitutional amendment to Article I, adding a section 18 to read

Sec. 18. Equality under the law shall not be abridged or denied by this state or any of its cities, counties, or other political subdivisions on account of race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin.

The amendment would be submitted to the voters at the 2024 general election.

Assumptions

This fiscal note covers only the cost of proposing the constitutional amendment.

There will be minor programming for the Office of the Secretary of State and more substantial programming, tabulating, printing, and publishing costs to county auditors in preparing the ballots to include the constitutional amendment.

Pursuant to section 204B.29, subd.1, there must be more ballots printed than voted for the office in the last election; either ten percent more than the number expected to be cast, or 100 ballots for every 85 voters who voted for the same office in the last election. As 2024 is a presidential election year, and in 2020 there were 3,292,997 persons who voted, a ten percent increase would require that 3,622,297 ballots be printed statewide.

Expenditure and/or Revenue Formula

Constitutional Amendment Election Process:

Estimated Secretary of State programming costs for reporting votes cast for the proposed amendment, canvassing the results, and preparing example ballots:

One hour of programmer time @ \$100.00/hour = \$100

One hour of elections administrator time @ \$50/hour = \$50

Total Cost: **\$150** (FY25)

The Secretary of State is able to absorb the costs identified as part of ongoing operational activities associated with the work of the office. These activities are not anticipated to displace any other work of the office.

Long-Term Fiscal Considerations

None.

Local Fiscal Impact

There are costs to local government, including for adding the amendment question to the ballot card, programming tabulating machines and counting votes cast, and printing and publishing notices of the constitutional amendment.

The bulk of the costs are for adding the question to 3,622,297 optical scan ballots. It is estimated that there is a five cent per ballot cost for that function.

3,622,297 ballots @ \$.05/ballot/constitutional question = \$181,114.85

If several constitutional amendments are put on the ballot, local election officials may need to provide voters with a second ballot. The number of constitutional amendments that would require any specific jurisdiction to use a second ballot will vary depending upon the number of other races on the ballot. According to the vendor printing most of the ballots in the state, the average cost of printing a second ballot is 29 cents. If all counties had to print second ballots, this would mean printing an additional 3,622,297 ballots for an added cost of approximately \$1,050,466.13 instead of the estimated \$181,114.85 for adding the question to an existing ballot.

References/Sources

Bibi Black

651-201-1326

Agency Contact:

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